Listing of claims:

The following is a complete listing of all claims in the application, with an indication of the status of each:

1 (Currently amended). A vessel agitator assembly for a chemical analyzer, comprising:

a conveyor element which includes a plurality of vessel holders, each of said plurality of vessel holders being capable of holding ~~holds~~ a vessel which is selectively removable therefrom ~~plurality of vessels~~, said conveyor element being moveable along a path; and

a vessel agitator positioned adjacent said conveyor element at a location along said path where said vessel is passively agitated through ~~plurality of vessels~~ contact with said vessel agitator as said conveyor element moves along said path.

2 (Currently Amended). A ~~The~~ vessel agitator assembly for a chemical analyzer, comprising:

a conveyor element which holds a plurality of vessels, said conveyor element being moveable along a path; and

a vessel agitator positioned adjacent said conveyor element at a location along said path where said plurality of vessels contact said vessel agitator as said conveyor element moves along said path, and ~~as recited in claim 1~~ wherein said vessel agitator includes a plurality of troughs and projections, whereby each of said plurality of vessels are caused to move in a direction generally perpendicular ~~to~~ toward and away from said path by said plurality of troughs and projections.

3 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein vessel agitator is made from more than one component.

4 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein distances between adjacent troughs in said vessel agitator is variable.

5 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein distances between adjacent projections in said vessel agitator is variable.

6 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein distances between adjacent troughs in said vessel agitator is uniform.

7 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein distances between adjacent projections in said vessel agitator is uniform.

8 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein a depth of troughs of said vessel agitator relative to said conveyor is variable.

9 (Currently amended). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein a distance said projections project toward ~~said vessel agitator relative to~~ said conveyor is variable.

10 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein a depth of troughs of said vessel agitator relative to said conveyor is uniform.

11 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein said agitator assembly has a same number of bumps as a number of vessel holders of said conveyor element.

12 (Currently amended). The vessel agitator assembly for a chemical analyzer as recited in claim 2, wherein a distance said projections project toward ~~said vessel agitator relative to~~ said conveyor is uniform.

13 (Currently amended). The vessel agitator assembly for a chemical analyzer as recited in claim 2 ~~1~~, wherein said vessel agitator is stationary.

14 (Currently amended). The vessel agitator assembly for a chemical analyzer as recited in claim 1, wherein a height of said vessel agitator relative to a height of said conveyor element is adjustable.

15 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 1, wherein said path has one or more turns.

16 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 13, further comprising means for allowing the conveyor to follow a path which is nonlinear.

17 (Original). The vessel agitator assembly for a chemical analyzer as recited in claim 1, further comprising a housing, said conveyor and said vessel agitator being positioned within said housing.

18 (Currently amended). The vessel agitator assembly for a chemical analyzer as recited in claim 17 ~~16~~, wherein said vessel agitator is affixed to said housing.

19 (Currently amended). The vessel agitator assembly for a chemical analyzer of claim 17 ~~16~~, wherein said housing is insulated.

20 (Original). The vessel agitator assembly for a chemical analyzer of claim 1, wherein said chemical analyzer is an immunoassay analyzer.

21 (Currently amended). The vessel agitator assembly for a chemical analyzer of claim 2019, wherein said conveyor and said vessel agitator are positioned within an incubator in said immunoassay analyzer.

22 (Currently amended). A method of passively agitating vessels in a chemical analyzer, comprising the steps of:

conveying one or more vessels held in a conveyor element along a path; and

agitating said vessels with a stationary vessel agitator positioned adjacent said conveyor element at a location along said path where said one or more ~~plurality of~~ vessels contact said stationary vessel agitator as said conveyor element moves along said path, wherein said stationary vessel agitator includes a plurality of troughs and projections, whereby each of said one or more vessels are caused to move in a direction generally perpendicular toward and away from said path by said plurality of troughs and projections.

23. (New) The method of claim 22 wherein said step of conveying is performed using a belt which has a plurality of vessel holders associated therewith which selectively hold each of said one or more vessels.

24. (New) The vessel agitator assembly for a chemical analyzer as recited in claim 1 wherein said conveyor element includes a belt to which said plurality of vessel holders are connected, and wherein said belt is positioned on said path.